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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,030	03/11/2004	Joseph J. Weinstein	BBNT-P02-250	4640

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FISH & NEAVE IP GROUP
ROPES & GRAY LLP
ONE INTERNATIONAL PLACE
BOSTON, MA 02110-2624

EXAMINER

CONTEE, JOY KIMBERLY

ART UNIT	PAPER NUMBER
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2617

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08/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/797,030	Applicant(s) WEINSTEIN ET AL.	
	Examiner Joy K. Contee	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 28-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-17 is/are allowed.
- 6) ☒ Claim(s) 1-4, 8, 9, 18-20, 24, 28-32 and 36-38 is/are rejected.
- 7) ☒ Claim(s) 5-7, 21-23, 33-35, 39-41 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/23/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-4,8,9,18-20,24,28-32,36-38 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3,8,9,18-20,24,28-31,36-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Lam et al. (Lam), US Pub. No. 2007/0106852.

Regarding claims 1 and 8, Lam discloses a method of synchronizing routing data with another node in a network, comprising: receiving routing data; performing a function on at least a portion of the routing data to produce a first digest, where the first digest comprises substantially less data than the routing data; receiving a second digest from the other node; comparing the first and second digests to determine whether they are identical to produce first comparison results; and exchanging a portion of the routing data based on the first comparison results (see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 2, Lam discloses the method of claim 1, wherein the function comprises at least one of a checksum or a hash (see abstract, [0057]).

Regarding claim 3, Lam discloses the method of claim 1, wherein the other node performs the function on a corresponding at least a portion of the routing data stored at the other node to produce the second digest (see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 9, Lam discloses a computer-readable medium containing instructions for controlling a processor to perform a method of synchronizing routing data with another node in a network, the method comprising: receiving routing data; performing a function on at least a portion of the routing data to produce a first digest, where the first digest comprises substantially less data than the routing data and where the function comprises at least one of a checksum or a hash; receiving a second digest from the other node; comparing the first and second digests to determine whether they are identical to produce first comparison results; and exchanging one or more portions of the routing data based on the first comparison results (see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 18, Lam discloses a method of using database digests to synchronize routing data between a first node and a second node in a network, comprising: storing first routing data at the first node; storing second routing data at the second node; performing, at the first node, a function on a portion of the first routing

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data, where the function produces a database digest that has substantially less data than the portion of the first routing data; and sending the database digest to the second node to synchronize the first routing data with the second routing data (see abstract, [0006,0009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 19, Lam discloses the method of claim 18, wherein the function comprises at least one of a hash or a checksum (see abstract and [0057]).

Regarding claim 20, Shirakawa discloses the method of claim 18, further comprising: receiving a first acknowledgment message from the first node based on the database digest, where the acknowledgment message indicates whether the second routing data is synchronized with the first routing data (see abstract, [0006,0009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 24, Lam discloses a system for using database digests to synchronize routing data in a network, comprising: a first node configured to store first routing data; a second node configured to: store second routing data, perform a function on a portion of the second routing data, where the function produces a database digest that has substantially less data than the portion of the second routing data, and send the database digest to the first node to synchronize the second routing data with the first routing data (see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 25, Lam discloses a data structure encoded on a computer-readable medium, comprising: first data comprising routing data; second data comprising an identifier for a node in a network; third data identifying a portion of the routing data; and fourth data comprising a first digest of the portion of the routing data, where a function is used to produce the digest and where the digest comprises substantially less data than the portion of the routing data (see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 26, Lam discloses the data structure of claim 25, wherein the function comprises at least one of a hash or a checksum (see abstract and [0057]).

Regarding claim 27, Lam discloses the data structure of claim 25, further comprising: fifth data identifying another portion of the routing data; and sixth data comprising a second digest of the other portion of the routing data, where the function is used to produce the second digest and where the second digest comprises substantially less data than the other portion of the routing data(see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 28, Lam discloses a system for using database digests to synchronize routing data between a first node and a second node in a network, comprising: means for storing first routing data at the first node; means for storing second routing data at the second node; means for performing, at the first node, a function on one or more portions of the first routing data, where the function produces a

database digest that has substantially less data than a respective one of the one or more portions of the first routing data; and means sending the database digest to the second node to synchronize the first routing data with the second routing data(see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 29, Lam discloses a method of synchronizing data with another node in a network, comprising: performing a function on at least a portion of the data to produce a first digest, where the first digest comprises substantially less data than the at least a portion of the data; receiving a second digest from the other node; comparing the first and second digests to determine whether they are identical to produce first comparison results; and exchanging a portion of the data based on the first comparison results(see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 30, Lam discloses the method of claim 29, wherein the function comprises at least one of a checksum or a hash (see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 31, Lam discloses the method of claim 29, wherein the other node performs the function on a corresponding at least a portion of the data stored at the other node to produce the second digest(see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 36, Lam discloses a method of using database digests to synchronize data between a first node and a second node in a network, comprising: storing first data at the first node; storing second data at the second node; performing, at the first node, a function on a portion of the first data, where the function produces a database digest that has substantially less data than the portion of the first data; and sending the database digest to the second node to synchronize the first data with the second data(see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 37, Lam discloses the method of claim 36, wherein the function comprises at least one of a hash or a checksum(see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Regarding claim 38, Lam discloses the method of claim 36, further comprising: receiving a first acknowledgment message from the first node based on the database digest, where the acknowledgment message indicates whether the second data is synchronized with the first data (see abstract, [006,009,0012,0014,0017,0018-0019,0029,0045,0053,0057,0068,0069,0070,072,0086]).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lam et al. (Lam), US Pub. No. 2007/0106852, in view Houston et al. (Houston), US 2003/0126284.

Regarding claims 4 and 32, Shirakawa discloses the method of claim 1, but fails to explicitly disclose wherein the routing data comprises Open Shortest Path First (OSPF) route advertisements.

In a similar field of endeavor, Houston discloses wherein the routing data comprises Open Shortest Path First (OSPF) route advertisements (see pages 6-7 [0070]).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Lam to include OSPF route advertisements for the purpose of allowing communication amongst routers.

Allowable Subject Matter

6. Claims 10-17 are allowed.

7. Claims 5-7, 21-23, 33-35, 39-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K. Contee whose telephone number is

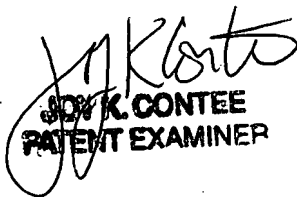
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571.272.7906. The examiner can normally be reached on Monday through Friday, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571.272.7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC


JOY K. CONTEE
PATENT EXAMINER